

EXHIBIT “A”

EXHIBIT "A" TO PRETRIAL STIPULATION AND ORDER**CCI EXHIBITS¹**

Description	Objections and Reasons
1. Invitation to Bid FE 004010-004038	BOBC/FEC Objections <ul style="list-style-type: none"> • None.
2. Bid Form FE000168-000170	BOBC/FEC Objections <ul style="list-style-type: none"> • None.
3. Columnar Take-off sheet CL 1287-1288	BOBC/FEC Objections <ul style="list-style-type: none"> • None.
4. Job #2357 Form 000669-000672	BOBC/FEC Objections <ul style="list-style-type: none"> • None.
5. Application and Cert. for Payment Nos. 1-54	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. These documents are inadmissible hearsay to the extent offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
6. P. Angerame letter dated 10/2/03 to CCI, with P. Creedon signature No attachments CL 1143	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 402, 1002 and 1003. This document has not been authenticated as the relevant form of agreement presented by FEC to CCI, or received by FEC after the counter-signature of CCI. The best evidence of the matters agreed to between CCI and FEC is the form within the possession of FEC and bearing the Bates Stamp of FEC (prefix "FE"). Moreover, this duplicate has been modified from the original. It is incomplete, and missing related, and internally referenced, pages, specifically Exhibit 1 to the document. Under the circumstances, it would be unfair to admit this duplicate in lieu of the original document and complete context.

¹ CCI reserves the right to admit other documents listed by Defendants. CCI reserves the right to admit exhibits listed without Bates Nos., or with different numbers that are not specifically listed herein.
{82001.00001 / W0118350}

<p>7. Unsigned "Subcontract Document," with notes by P. Creedon CL 1144-CL1152</p>	<p>BOBC/FEC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 402, 1002 and 1003. This document has not been authenticated as the relevant form of agreement presented by FEC to CCI, or received by FEC after the counter-signature of CCI. The best evidence of the matters agreed to between CCI and FEC is the form within the possession of FEC and bearing the Bates Stamp of FEC. (prefix "FE") Moreover, this duplicate has been modified from the original. It is incomplete, and missing a related cover page. Under the circumstances, it would be unfair to admit this duplicate in lieu of the original document and complete context.
<p>8. Angerame letter dated 10/2/03, with 10/15/03 dated signature FE 003282</p>	<p>BOBC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 1002 and 1003. The duplicate has been modified from the original. It is incomplete, and missing related, and internally referenced, pages, specifically Exhibit 1 to the document. Under the circumstances, it would be unfair to admit this duplicate in lieu of the original document and complete context.
<p>9. Angerame letter dated 10/2/03 with P. Creedon signature & underlining 000668</p>	<p>BOBC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 402, 1002 and 1003. This document has not been authenticated as the relevant form of agreement presented by FEC to CCI, or received by FEC after the counter-signature of CCI. The best evidence of the matters agreed to between CCI and FEC is the form within the possession of FEC and bearing the Bates Stamp of FEC. (prefix "FE") Moreover, this duplicate has been modified from the original. It is incomplete, and missing related, and internally referenced, pages, specifically Exhibit 1 to the document. Under the circumstances, it would be unfair to admit this duplicate in lieu of the original document and complete context.
<p>10. Angerame letter dated 10/2/03 (rev. 10/31/03) w/ 11/5/03 signature of P. Creedon FE 003284-003289</p>	<p>BOBC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 1002 and 1003. The duplicate has been modified from the original. It is incomplete, and missing related, and internally referenced, pages, specifically Exhibit 1 to the document. Under the circumstances, it would be unfair to admit this duplicate in lieu of the original document and complete context.
<p>11. Donna Lucas letter dated 5/4/04 and Attachment 006113-006173</p>	<p>BOBC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law, for example, FEC's attempt to unilaterally designate itself as an agent of BOBC without the consent of BOBC and in direct contradiction to FEC's Trade Manager Agreement with BOBC. • Fed. R. Evid. 402. This document is irrelevant to any claim

	<p>against BOBC, as there is no evidence that this document was authorized by BOBC. To the contrary, FEC's attempt to unilaterally designate itself as an agent of BOBC by this document is strictly prohibited, and directly contradicted, by the terms of FEC's Trade Manager Agreement with BOBC.</p> <p>Moreover, to the extent the Court grants BOBC's Motion for Summary Judgment related to the issue of agency authority, and dismisses any claim relying upon agency authority, this document has no relevance to any trial issue.</p> <p>In any event, this document was never executed and the parties never otherwise formed a meeting of the minds.</p>
<p>12. E-mail of P. Creedon to P. Angerame dated 6/14/04, w/ attached letter & addendum FE 003545-003562</p>	<p>BOBC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that the document to which it purports to respond – the Donna Lucas letter dated 5/4/04 and Attachment (006113-006173) – was authorized by BOBC. To the contrary, FEC's attempt to unilaterally designate itself as an agent of BOBC by the Donna Lucas letter dated 5/4/04 and Attachment is strictly prohibited, and directly contradicted, by the terms of FEC's Trade Manager Agreement with BOBC. Further, there is no evidence that this document, purporting to respond to the Donna Lucas letter dated 5/4/04 and Attachment, was addressed to, or received by, BOBC. <p>Moreover, to the extent the Court grants BOBC's Motion for Summary Judgment related to the issue of agency authority, and dismisses any claim relying upon agency authority, this document has no relevance to any trial issue.</p> <p>In any event, the Donna Lucas letter dated 5/4/04 and Attachment was never executed and the parties never otherwise formed a meeting of the minds.</p>
<p>13. Certificate of Substantial Completion 000710</p>	<p>BOBC/FEC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
<p>14. E-mail Flemingloss to CCI dated 1/26/05 & attachments CL1221-1231</p>	<p>BOBC/FEC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.

15. E-mail P. Creedon to D. Link dated 3/31/04 CL0836	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 402. This document is irrelevant to plaintiff's claim(s), burden and required proofs.
16. Letter C. Doble to P. Angerame dated 4/6/04 005675-005676	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
17. Memorandum to File 004856	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
18. Memorandum to File 4/22/04 004853-004855	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
19. CCI Critical Events dated 4/19/04 005680-005693	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
20. E-mail of J. Lynch to C. Doble 4/21/04 FE003457	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 1002 and 1003. The duplicate has been modified from the original. It is incomplete, and missing related, and internally referenced, pages, including an attachment. Under the circumstances, it would be unfair to admit this duplicate in lieu of the original document and complete context.
21. E-mail P. Creedon to P. Angerame dated 5/24/04 CL1305	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.

<p>22. Letter of transmittal dated 5/24/04 w/ Critical Event Summary BOBC 00048-00056, 005701, CL 1043-1050</p>	<p>BOBC/FEC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
<p>23. Letter P. Creedon to P. Angerame dated 5/28/04 CL 1134-1137</p>	<p>BOBC/FEC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
<p>24. Letter P. Creedon to J. Dimon and D. Tishman dated 7/23/04 BOBC 04813-04816, 005733-005735</p>	<p>BOBC/FEC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant. At most, this document demonstrates that CCI approached BOBC to request assistance in resolving CCI's separate dispute with FEC several months after that dispute had ripened. It bears no relation to facts underlying any claim. • Fed. R. Evid. 408. This document is inadmissible to the extent any compromise is alleged to have been offered by a Defendant(s) and is offered to prove liability.
<p>25. Daily Log – Fred Street 005490-005561</p>	<p>BOBC/FEC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 402, 1002 and 1003. This document has not been authenticated as the original daily log prepared contemporaneously in the regular course of business. To the contrary, this document contains internal marginalia and notations related to manpower and/or supervising hours which are speculative estimates, and the testimony of the author of this document establishes that such marginalia and notations were not made contemporaneously, but rather were added retroactively, and months after the referenced events, at the request of Plaintiff's consultant and expert, Dennis Link. • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 602. The internal marginalia and notations related to manpower and/or supervising hours are speculative estimates, as the testimony of the author of this document establishes that such marginalia and notations were not made contemporaneously, but rather were added retroactively, and months after the referenced events, at the request of Plaintiff's consultant and expert, Dennis Link.

<p>26. Daily Log – P. Brainard 005562-005670</p>	<p>BOBC/FEC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 402, 1002 and 1003. This document has not been authenticated as the original daily log prepared contemporaneously in the regular course of business. To the contrary, this document contains internal marginalia and notations related to manpower and/or supervising hours which are speculative estimates, and the testimony of the author of this document establishes that such marginalia and notations were not made contemporaneously, but rather were added retroactively, and months after the referenced events, at the request of Plaintiff's consultant and expert, Dennis Link. • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 602. The internal marginalia and notations related to manpower and/or supervising hours are speculative estimates, as the testimony of the author of this document establishes that such marginalia and notations were not made contemporaneously, but rather were added retroactively, and months after the referenced events, at the request of Plaintiff's consultant and expert, Dennis Link.
<p>27. Daily Log – J. Mulrooney 005339-005489</p>	<p>BOBC/FEC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 402, 1002 and 1003. This document has not been authenticated as the original daily log prepared contemporaneously in the regular course of business. To the contrary, this document contains internal marginalia and notations related to manpower and/or supervising hours which are speculative estimates, and the testimony of the author of this document establishes that such marginalia and notations were not made contemporaneously, but rather were added retroactively, and months after the referenced events, at the request of Plaintiff's consultant and expert, Dennis Link. • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 602. The internal marginalia and notations related to manpower and/or supervising hours are speculative estimates, as the testimony of the author of this document establishes that such marginalia and notations were not made contemporaneously, but rather were added retroactively, and months after the referenced events, at the request of Plaintiff's consultant and expert, Dennis Link.

<p>28. Daily Log – R. Sharp 005318-005338</p>	<p>BOBC/FEC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 402, 1002 and 1003. This document has not been authenticated as the original daily log prepared contemporaneously in the regular course of business. To the contrary, this document contains internal marginalia and notations related to manpower and/or supervising hours which are speculative estimates, and the testimony of the author of this document establishes that such marginalia and notations were not made contemporaneously, but rather were added retroactively, and months after the referenced events, at the request of Plaintiff's consultant and expert, Dennis Link. • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 602. The internal marginalia and notations related to manpower and/or supervising hours are speculative estimates, as the testimony of the author of this document establishes that such marginalia and notations were not made contemporaneously, but rather were added retroactively, and months after the referenced events, at the request of Plaintiff's consultant and expert, Dennis Link.
<p>29. D. Link note CL1057</p>	<p>BOBC/FEC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 402. This document is irrelevant to Plaintiff's claim(s) about the General Lighting & Power project, and Plaintiff's related burden and required proofs, and it refers to another project – the IT Conveyance project – which is only relevant to the extent monies awarded, and paid, to CCI for the IT Conveyance project were intended to offset claimed damages from the General Lighting & Power project.
<p>30. CCI – PCO #51 006055-006064</p>	<p>BOBC/FEC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
<p>31. CCI – PCO #52 006075-006709</p>	<p>BOBC/FEC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.

32. CCI – PCO #53 06080	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
33. CCI – PCO #54 No Bates number	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 402. This document is irrelevant, as there is no evidence that this document was addressed to, or received by, either defendant at any relevant time. To the contrary, this document was specifically prepared as a demonstrative exhibit to the Complaint. • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
34. 9/26/03 Bid Clarification & notes 003515-003569	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 901. This document has not been authenticated, for example, as to source or completeness.
35. Letter C. Doble to Forest, dated 9/9/03, with attachments 004158; FE 013909-013920	BOBC/FEC Objections <ul style="list-style-type: none"> • None.
36. Letter D. Link to P. Creedon, dated 3/31/04 006548-006550	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
37. Fax transmittal of 2/26/04 and e-mail of 2/24/04 FE003390-003392	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
38. Fax transmittal 4/1/04 with attached Letters 006524-006530	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 1002 and 1003. The duplicate has been modified from the original. It is incomplete, and missing related, and internally referenced, pages (8 pages, it appears). Under the circumstances, it would be unfair to admit this duplicate in lieu of the original document and complete context.
39. Progress Mtgs. Notes, dated 7/29/04 CL1058	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.

	<ul style="list-style-type: none"> • Fed. R. Evid. 602 and 901. This document has not been authenticated, for example, as to source. Moreover, it has not been established that the source – or author – had personal knowledge of the matters discussed therein.
40. Single Project Construction Services Agreement BOBC-FEC BOBC 03932-03996	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 402. To the extent the Court grants BOBC's Motion for Summary Judgment related to the issue of agency authority, and dismisses any claim relying upon agency authority, this document has no relevance to any trial issue.
41. E-mail series 10/1/03-10/1503 FE014334-FE014441	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law, for example, FEC's attempt to unilaterally designate itself as an agent of BOBC without the consent of BOBC and in direct contradiction to FEC's Trade Manager Agreement with BOBC. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was authorized by BOBC, or was addressed to, or received by, BOBC. To the contrary, FEC's attempt to unilaterally designate itself as an agent of BOBC, referenced in this document, is strictly prohibited, and directly contradicted, by the terms of FEC's Trade Manager Agreement with BOBC. <p>Moreover, to the extent the Court grants BOBC's Motion for Summary Judgment related to the issue of agency authority, and dismisses any claim relying upon agency authority, this document has no relevance to any trial issue.</p>
42. E-mail dated 2/18/04 D. Lucas to P. Angerame, w/ attachments FE014442 - FE014496	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law, for example, FEC's attempt to unilaterally designate itself as an agent of BOBC without the consent of BOBC and in direct contradiction to FEC's Trade Manager Agreement with BOBC. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was authorized by BOBC, or was addressed to, or received by, BOBC. To the contrary, FEC's attempt to unilaterally designate itself as an agent of BOBC, referenced in this document, is strictly prohibited, and directly contradicted, by the terms of FEC's Trade Manager Agreement with BOBC.

	Moreover, to the extent the Court grants BOBC's Motion for Summary Judgment related to the issue of agency authority, and dismisses any claim relying upon agency authority, this document has no relevance to any trial issue.
43. Letters P. Welsing to FEC and BOBC, dated 2/12/04, with attachment TISH 009190-009194	<p>BOBC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 402. To the extent the Court grants BOBC's Motion for Summary Judgment related to the issue of agency authority, and dismisses any claim relying upon agency authority, this document has no relevance to any trial issue. • Fed. R. Evid. 1002 and 1003. The duplicate has been modified from the original. It is incomplete, and missing related, and internally referenced, pages. Specifically, this document only includes excerpts of the contract enclosure. Under the circumstances, it would be unfair to admit this duplicate in lieu of the original document and complete context.
44. Letter P. Welsing to BOBC, dated 2/12/04, with attachment TISH 008210 – 008214	<p>BOBC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 402. To the extent the Court grants BOBC's Motion for Summary Judgment related to the issue of agency authority, and dismisses any claim relying upon agency authority, this document has no relevance to any trial issue. • Fed. R. Evid. 1002 and 1003. The duplicate has been modified from the original. It is incomplete, and missing related, and internally referenced, pages. Specifically, this document only includes excerpts of the contract enclosure. Under the circumstances, it would be unfair to admit this duplicate in lieu of the original document and complete context.
45. E-mail series 3/29/04-4/12/04 FE014497-FE14551	<p>BOBC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law, for example, FEC's attempt to unilaterally designate itself as an agent of BOBC without the consent of BOBC and in direct contradiction to FEC's Trade Manager Agreement with BOBC. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was authorized by BOBC, or was addressed to, or received by, BOBC. To the contrary, FEC's attempt to unilaterally designate itself as an agent of BOBC, referenced in this document, is strictly prohibited, and directly contradicted, by the terms of FEC's Trade Manager Agreement with BOBC.

	<p>Moreover, to the extent the Court grants BOBC's Motion for Summary Judgment related to the issue of agency authority, and dismisses any claim relying upon agency authority, this document has no relevance to any trial issue.</p>
<p>46. Letter of C. Doble to P. Angerame dated 4/6/04 005675-005676</p>	<p>BOBC/FEC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
<p>47. E-mail series 6/14/04 to 8/4/04 FE 014207-FE014220</p>	<p>BOBC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that the document to which it relates – the Donna Lucas letter dated 5/4/04 and Attachment (006113-006173) – was authorized by BOBC. To the contrary, FEC's attempt to unilaterally designate itself as an agent of BOBC by the Donna Lucas letter dated 5/4/04 and Attachment is strictly prohibited, and directly contradicted, by the terms of FEC's Trade Manager Agreement with BOBC. <p>Moreover, to the extent the Court grants BOBC's Motion for Summary Judgment related to the issue of agency authority, and dismisses any claim relying upon agency authority, this document has no relevance to any trial issue.</p> <p>In any event, neither the Donna Lucas letter dated 5/4/04 and Attachment, nor CCI's response to that letter, were executed and the parties never otherwise formed a meeting of the minds.</p>
<p>48. Change Order Documents TISH 005200, 005202, 005204, 005510, 006782, 006954-006955, 006962, 006976, 007023-007024, 007027-007028, 007035, 007040, 007046, 007050, 007055-007056, 007058, 007062-007064, 007068, 007070, 007074-007075, 007100, 007102, 007124-007125, 007032, 007147-007148, 007342, 010027, 010129, 010142, 010148, 010542, 010545, 010549, 010551, 010553, 010555, 010557, 010562, 010577, 010657, 010961-010692, 010985- 010986, 010994, 010996, 011017, 011058-011070</p>	<p>BOBC/FEC Objections</p> <ul style="list-style-type: none"> • None.

49. Single Project Construction Services Agreement Tangent– Superior-Furness TISH 005745 – 005747, 005637-005639, 005555-005557	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 402. This contract, unrelated to any duties between and among the Plaintiff and/or Defendants in this matter, is irrelevant.
50. Warner Construction Consultants Report, dated July 12, 2006	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 702. Plaintiff has not established that its designated expert, and his report, meet the requirements for admissibility under Rule 702. FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 702, 802.
51. Karden Construction Services Report, dated July, 2006	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 702. Plaintiff has not established that its designated expert, and his report, meet the requirements for admissibility under Rule 702.
52. Creedon Complaint	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 402. This document is irrelevant. It is a pleading which, at most, states plaintiff's allegations and/or defendants' reservations of defenses prior to discovery in this matter, and it bears no relation to facts underlying any claim. • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
53. BOBC Answer and attached Affidavit of S. Capaldi (D.E. 5)	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 402. This document is irrelevant. It is a pleading which, at most, states plaintiff's allegations and/or defendants' reservations of defenses prior to discovery in this matter, and it bears no relation to facts underlying any claim. <p>Moreover, BOBC filed an Amended Answer, and the Answer submitted here as an exhibit by CCI was superseded and had no relevance.</p> <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
54. FEC Answer and attached Affidavit of P. Angerame (D.E. 3)	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 402. This document is irrelevant. It is a pleading which, at most, states plaintiff's allegations and/or defendants' reservations of defenses prior to discovery in this matter, and it bears no relation to facts underlying any claim. • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.

	<ul style="list-style-type: none"> In addition, FEC filed an Amended Answer.
55. Letter of C. Doble to P. Angerame, dated 4/20/04, with attachments FE 012635-012648	BOBC/FEC Objections <ul style="list-style-type: none"> Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
56. FEC Budget Increases, 4/23/04 FEC 009505-FE009512	BOBC/FEC Objections <ul style="list-style-type: none"> Fed. R. Evid. 402. Budget figures unrelated to Plaintiff's work at issue in this matter are irrelevant.
57. Letter of C. Doble to FEC, dated 5/18/04 006376-006379	BOBC/FEC Objections <ul style="list-style-type: none"> Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
58. E-mail P. Angerame to R. Flemingloss dated 5/19/04 FE009104-009105	BOBC Objections <ul style="list-style-type: none"> Fed. R. Evid. 402. This document is irrelevant to plaintiff's claim(s), burden and required proofs.
59. Letter of P. Creedon to P. Angerame dated 5/28/04 004883-004886	BOBC/FEC Objections <ul style="list-style-type: none"> Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
60. Letter C. Doble to P. Angerame dated 6/10/04 FE 009464-009465	BOBC/FEC Objections <ul style="list-style-type: none"> Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
61. Memo dated 7/8/04 004943	BOBC/FEC Objections <ul style="list-style-type: none"> Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
62. E-mail of P. Creedon to P. Angerame, dated 7/12/04 005031	BOBC/FEC Objections <ul style="list-style-type: none"> Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.

63. E-mail P. Creedon to P. Angerame, dated 7/13/04 005729	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
64. Letter P. Creedon to P. Angerame, dated 8/6/04 004946-004947	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
65. Letter P. Creedon to P. Angerame, dated 8/10/04 004948	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
66. Letter P. Creedon to P. Angerame, dated 8/11/04 004950	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
67. Letter P. Creedon to P. Angerame, dated 8/12/04 004951-004952	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
68. Meeting Agenda Outline 004981-004982	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 408. This document is inadmissible to the extent any compromise is alleged to have been offered by a Defendant(s) and is offered to prove liability.

69. Fax Transmittal C. Doble to D. Link dated 4/1/04, with attachments 006442-006465	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
70. Letter of D. Link to T. Peng, dated 6/22/04 004926-004927	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
71. Memorandum for Files 004941-004943	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
72. E-mail series 7/12/04 FE003594-003595	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
73. Letter D. Link to P. Angerame, dated 7/19/04 004944	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
74. E-mail series 9/1/04 007120-007121	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
75. Letter P. Creedon to J. Dimon, dated 8/11/04 BOBC 00042-00043	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant. At most, this document demonstrates that CCI approached BOBC to request assistance in resolving CCI's separate dispute with FEC several months after that dispute had ripened. It bears no relation to facts underlying any claim.

76. Letter P. Creedon to Ms. Barto, dated 8/16/04 CL0765	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant. At most, this document demonstrates that CCI contemplated approaching BOBC to request assistance in resolving CCI's separate dispute with FEC several months after that dispute had ripened. There is no evidence that this particular document was ever sent to, or received by, BOBC. It bears no relation to facts underlying any claim.
77. Letter P. Angerame to P. Creedon, Dated 8/12/04 FE001900-001902	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
78. Letter P. Creedon to P. Angerame, dated 8/12/04 004953	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
79. Meeting with P. Angerame re: Communication CL1031-1032	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
80. Notes dated 7/8/04, with attachments CL1097-1105	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
81. Banc One Real Estate Contracts and Purchase Order Guidelines BOBC 05646-05653	BOBC Objections <ul style="list-style-type: none"> • None.
82. Bank One Real Estate Wavier of Bid Request BOBC 05640-05641	BOBC Objections <ul style="list-style-type: none"> • None.
83. Project Award Recommendation, dated 10/2/03 FE 014165-04168	BOBC Objections <ul style="list-style-type: none"> • None.
84. Letter P. Welsing to K. Auwarter, Dated 10/23/03 FE 014163-014164	BOBC Objections <ul style="list-style-type: none"> • None.

<p>85. Change Order dated 9/15/04 FE 002575</p>	<p>BOBC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law, for example, FEC's attempt to unilaterally designate itself as an agent of BOBC without the consent of BOBC and in direct contradiction to FEC's Trade Manager Agreement with BOBC. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was authorized by BOBC, or was addressed to, or received by, BOBC. To the contrary, the attempt to unilaterally designate FEC as an agent of BOBC, referenced in this document, is strictly prohibited, and directly contradicted, by the terms of FEC's Trade Manager Agreement with BOBC. <p>Moreover, to the extent the Court grants BOBC's Motion for Summary Judgment related to the issue of agency authority, and dismisses any claim relying upon agency authority, this document has no relevance to any trial issue.</p> <p>In any event, this document was never executed and the parties never otherwise formed a meeting of the minds.</p> <ul style="list-style-type: none"> • Fed. R. Evid. 402, 1002 and 1003. This document has not been authenticated. It contains internal marginalia and notations made by an unknown author. <p>FEC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 402, 802, 1002 and 1003.
<p>86. E-mail series 3/29/04 – 4/5/04 TISH 009728-009782</p>	<p>BOBC Objections</p> <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law, for example, FEC's attempt to unilaterally designate itself as an agent of BOBC without the consent of BOBC and in direct contradiction to FEC's Trade Manager Agreement with BOBC. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was authorized by BOBC, or was addressed to, or received by, BOBC. To the contrary, FEC's attempt to unilaterally designate itself as an agent of BOBC, referenced in this document, is strictly prohibited, and directly contradicted, by the terms of FEC's Trade Manager Agreement with BOBC.

	Moreover, to the extent the Court grants BOBC's Motion for Summary Judgment related to the issue of agency authority, and dismisses any claim relying upon agency authority, this document has no relevance to any trial issue.
87. Deed to Parcel #06-149.00-002	BOBC Objections <ul style="list-style-type: none"> • None.
88. Pre-Qualification Questionnaire FE 003131 – FE 003148	BOBC Objections <ul style="list-style-type: none"> • None.
89. Creedon Controls, Inc. Financial Statements FE 003200-FE003219	BOBC Objections <ul style="list-style-type: none"> • None.
90. Bid Documents FE 003185-003199	BOBC Objections <ul style="list-style-type: none"> • None.
91. Bank One Project – History & Current Status CL 0522-CL 0763	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant. It is a document authored by CCI and addressed to its creditor, Wilmington Trust, but not addressed to either defendant at any relevant time. It bears no relation to facts underlying any claim.
92. Notes- Mtg. with P. Angerame 7/8/04 CL 1097- 1098	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
93. Meeting Agenda w/ attachments 7/8/04 CL 1099- CL 1105	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
94. Bank One, CDC II Project Direct Costs and PCG/CCI Difference BOBC 03997 – 04155	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 408. This document is inadmissible to the extent any compromise is alleged to have been offered by a Defendant(s) and is offered to prove liability.

95. Notes CL 1096	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 402. This document is irrelevant to Plaintiff's claim(s), burden and required proofs.
96. Notes CL 1258-1263	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 402. This document is irrelevant to Plaintiff's claim(s) about the General Lighting & Power project, and Plaintiff's related burden and required proofs, and it refers to another project – the IT Conveyance project – which is only relevant to the extent monies awarded, and paid, to CCI for the IT Conveyance project were intended to offset claimed damages from the General Lighting & Power project.
97. Bid Form 2/2/04 BOBC 02051-02052	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 402. This document is irrelevant to Plaintiff's claim(s) about the General Lighting & Power project, and Plaintiff's related burden and required proofs, and it refers to another project – the IT Conveyance project – which is only relevant to the extent monies awarded, and paid, to CCI for the IT Conveyance project were intended to offset claimed damages from the General Lighting & Power project.
98. Bid Form 1/29/04 BOBC 02069-02070	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 402. This document is irrelevant to Plaintiff's claim(s) about the General Lighting & Power project, and Plaintiff's related burden and required proofs, and it refers to another project – the IT Conveyance project – which is only relevant to the extent monies awarded, and paid, to CCI for the IT Conveyance project were intended to offset claimed damages from the General Lighting & Power project.
99. Letter P. Creedon to Ms. Barto, 8/16/04 CL 0765	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant. At most, this document demonstrates that CCI contemplated approaching BOBC to request assistance in resolving CCI's separate dispute with FEC several months after that dispute had ripened. There is no evidence that this particular document was ever sent to, or received by, BOBC. It bears no relation to facts underlying any claim.
100. One-week Look-Ahead Schedule 004448-004449	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant, as there is no evidence that this document was addressed to, or received by, either FEC or BOBC.

101. Notes -7/29/04 CL1058-1061	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
102. Notes - 12/8/03 004447	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
103. Letter P. Angerame to P. Creedon w/ P. Creedon signature FE 001023	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to Plaintiff's claim(s) about the General Lighting & Power project, and Plaintiff's related burden and required proofs, and it refers to another project – the IT Conveyance project – which is only relevant to the extent monies awarded, and paid, to CCI for the IT Conveyance project were intended to offset claimed damages from the General Lighting & Power project.
104. E-mail Series T. Peng to P. Angerame FE 008833	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
105. Forest Personnel List FE 09375	BOBC Objections <ul style="list-style-type: none"> • None.
106. Letter P. Angerame to Tishman, 10/2/03 BOBC 0718-0725	BOBC Objections <ul style="list-style-type: none"> • None.
107. Facsimile Transmittal 4/16/04 D. Lucas to P. Angerame FE 014558-014566	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law, for example, FEC's attempt to unilaterally designate itself as an agent of BOBC without the consent of BOBC and in direct contradiction to FEC's Trade Manager Agreement with BOBC. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was authorized by BOBC, or was addressed to, or received by, BOBC. To the contrary, FEC's attempt to unilaterally designate itself as an agent of BOBC, referenced in this document, is strictly prohibited, and directly contradicted, by the terms of FEC's Trade Manager Agreement with BOBC. <p>Moreover, to the extent the Court grants BOBC's Motion for Summary Judgment related to the issue of agency authority, and dismisses any claim relying upon agency authority, this document has no relevance to any trial issue.</p>

108. Meeting Minute List FE 013944-013945	BOBC Objections <ul style="list-style-type: none"> • None.
109. E-Mail Series 6/23/03 – 6/7/03 ?? FE008940	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
110. E-Mail C. Doble to J. Lynch 04022	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
111. Letter C. Doble to Forest 11/7/03 04203	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
112. Letter C. Doble to Forest 11/17/03 04205	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
113. Letter C. Doble to Forest 11/7/03 04203	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
114. Letter C. Doble to Forest 11/17/03 0420	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.

115. Letter C. Doble to Forest 12/1/03, with attachment 04308-04400	BOBC Objections <ul style="list-style-type: none"> Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
116. E-Mail Series FE 09025 – 09026	BOBC Objections <ul style="list-style-type: none"> Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
117. Document dated 3/16/04 04714	BOBC/FEC Objections <ul style="list-style-type: none"> Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
118. Letter C. Doble to Forest 3/23/04, with attachments 04767-04775	BOBC Objections <ul style="list-style-type: none"> Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
119. Fax Transmittal 4/13/04 04799	BOBC/FEC Objections <ul style="list-style-type: none"> Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
120. RFI 04819	BOBC/FEC Objections <ul style="list-style-type: none"> Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
121. RFI 04797	BOBC/FEC Objections <ul style="list-style-type: none"> Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
122. E-Mail B. Alloca 11/11/04 FE 08999	BOBC/FEC Objections <ul style="list-style-type: none"> Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
123. Memorandum 12/16/03: 04460-04461 12/24/03: 04480-04481 12/23/03 with additional notes 12/30/03	BOBC/FEC Objections <ul style="list-style-type: none"> Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.

01/06/04	<ul style="list-style-type: none"> • Fed. R. Evid. 402, 1002 and 1003. This proposed exhibit has not been authenticated, and includes multiple, incomplete, and apparently unrelated documents. Under the circumstances, it would be unfair to admit this in lieu of the original, individual documents. • Fed. R. Evid. 402. This proposed exhibit is irrelevant to Plaintiff's claim(s) about the General Lighting & Power project, and Plaintiff's related burden and required proofs, and it refers to another project – the IT Conveyance project – which is only relevant to the extent monies awarded, and paid, to CCI for the IT Conveyance project were intended to offset claimed damages from the General Lighting & Power project.
124. Letter C. Doble to Forest 5/18/04, with attachments 06376 -06379	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
125. Letter P. Creedon to P. Angerame 5/28/04 04883-04886	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
126. Letter C. Doble to P. Angerame 6/10/04 FE 09464	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to any claim against BOBC, as there is no evidence that this document was addressed to, or received by, BOBC.
127. Memo 7/8/04 04943	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
128. E-Mail 7/12/04 05031	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.

129. E-mail 7/13/04 05729	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
130. Progress Meeting Minutes For Tishman w/ Owner TISH 002956-005092	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
131. Photographs BOBC 05496, 05535, 05548, 05559, 05562, 05569, 05570, 05583 FE 008320-008796, 10954-10958, 11444-11451	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 402, 1002 and 1003. These photographs, as copied, are illegible. Moreover, this proposed exhibit has not been authenticated, and includes multiple, incomplete, and apparently unrelated photographs and memorandum. Under the circumstances, it would be unfair to admit this in lieu of the original, individual photographs in complete context.
132. Letter P. Creedon to T. Hennessey 10/22/04 07137-07139	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant. At most, this document demonstrates that CCI approached BOBC to request assistance in resolving CCI's separate dispute with FEC several months after that dispute had ripened. It bears no relation to facts underlying any claim. • Fed. R. Evid. 408. This document is inadmissible to the extent any compromise is alleged to have been offered by a Defendant(s) and is offered to prove liability.
133. Letter P. Creedon to T. Hennessey 10/29/04 07140-07142	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant. At most, this document demonstrates that CCI approached BOBC to request assistance in resolving CCI's separate dispute with FEC several months after that dispute had ripened. It bears no relation to facts underlying any claim. • Fed. R. Evid. 408. This document is inadmissible to the extent any compromise is alleged to have been offered by a Defendant(s) and is offered to prove liability.
134. Letter P. Creedon to T. Hennessey 11/8/04 007143-007144	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.

	<ul style="list-style-type: none"> • Fed. R. Evid. 402. This document is irrelevant. At most, this document demonstrates that CCI approached BOBC to request assistance in resolving CCI's separate dispute with FEC several months after that dispute had ripened. It bears no relation to facts underlying any claim. • Fed. R. Evid. 408. This document is inadmissible to the extent any compromise is alleged to have been offered by a Defendant(s) and is offered to prove liability.
135. E-Mail Series 3/29/04-4/5/04 TISH 009728	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
136. Job Meeting Minutes & Agenda TISH 007457-007830	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law.
137. Monthly Project Reports Jan., 2004 – July, 2004 TISH 000001 - 002955	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402. This document is irrelevant to the extent it refers to contracts with non-parties, or to work performed by CCI on any project other than General Lighting & Power at issue here (unless, and to the extent, such work was intended to offset claimed damages related to General Lighting & Power).
138. Primavera files produced by BOBC on disc and by both Defendant's on miscellaneous hard copy	BOBC Objections <ul style="list-style-type: none"> • None.
139. As-Built documents prepared by Creedon and given to Forest	BOBC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 802. This document is inadmissible hearsay to the extent it is offered to prove the truth of the matters asserted therein regarding contested issues of fact and law. • Fed. R. Evid. 402, 1002 and 1003. As described, without a Bates Stamp range or copies of all documents intended to be designated, there is no means to authenticate these documents.
140. All drawings provide in the Invitation to Bid	BOBC/FEC Objections <ul style="list-style-type: none"> • Fed. R. Evid. 402, 1002 and 1003. As described, without a Bates Stamp range or copies of all documents intended to be designated, there is no means to authenticate these documents.

141. Payroll binders initially produced and without bates nos. and as supplemented by Dec. 2006 production	FEC Objections <ul style="list-style-type: none"> These documents were recently produced and have not yet been reviewed by counsel or FEC's experts. In addition, Fed. R. Evid. 402, 403 and 802.
142. Documents on Disk of supportive Warner Construction Consultants' materials submitted to Defendants on 12/15/06	BOBC/FEC Objections <ul style="list-style-type: none"> Fed. R. Evid. 402, 403, 702 and 802.
143. Documents on Disk of supportive Warner Construction Consultants' material submitted to Defendants on September 1, 2006	BOBC/FEC Objections <ul style="list-style-type: none"> Fed. R. Evid. 402, 403, 702 and 802.
144. BOBC 05646-05653 Bank One Real Estate Contracts and Purchase Order Guidelines	BOBC Objections <ul style="list-style-type: none"> Fed. R. Evid. 402. These contract guidelines, only relevant to BOBC Project Managers – not Trade Managers such as FEC, or Subcontractors such as CCI - is unrelated to any duties between and among the Plaintiff and/or Defendants in this matter, is irrelevant.

Each party reserves all objections to any documents not listed, or to the submission of documents without Bates Number(s), or with different Bates Number(s) than listed.

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